

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHARLES EDKINS,

Plaintiff,

No. 15-10615

v.

District Judge Matthew F. Leitman
Magistrate Judge R. Steven Whalen

UNITED STATES OF AMERICA,

Defendant.

ORDER

On February 18, 2015, Plaintiff Charles Edkins filed a *pro se* civil complaint under the Federal Tort Claims Act, 28 U.S.C. § 1346(b). Before the Court is his Plaintiff's September 23, 2015 renewed motion to appoint counsel and for an extension of time to respond to Defendant Scott Kevin Dubois' motion for summary judgment [Doc. #25].

As noted in my earlier order, it is the practice of this Court to defer any attempt to obtain counsel for *pro se* civil Plaintiffs until after motions to dismiss or motions for summary judgment have been denied. Defendant's motion for summary judgment is currently pending. *Docket #22*. Therefore, at this stage of the proceedings, Plaintiff's request for counsel is premature.

Plaintiff also requests an extension of 120 days to respond to Defendant Scott Kevin Dubois' September 4, 2015 motion for summary judgment.¹ The Court acknowledges that Plaintiff's inexperience in legal matters justifies an extension but finds that a 120-day

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Plaintiff asks for the 120-day extension to respond Docket nos. 21 *and* 22. However, Docket #21 is a stipulation to the dismissal by another Defendant. Plaintiff need not respond to Docket #21.

extension is unwarranted. Plaintiff is therefore granted an additional 45-day extension to respond to Defendant's motion.

Plaintiff's renewed motion to appoint counsel is DENIED without prejudice. His motion for an extension of time to respond to Defendant's motion for summary judgment is GRANTED in part. Plaintiff is hereby ordered to respond by December 11, 2015.

IT IS SO ORDERED.

/s/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: September 30, 2015

Certificate of Service

I certify that a copy of this document was served upon parties of record on September 30, 2015 via electronic or postal mail.

/s/C. Ciesla
CASE MANAGER